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Mr. Charles L.A. Terreni
Chief Clerk/Administrator
Public Service Commission of South Carolina
P.O. Drawer 11649
Columbia, South Carolina 29211

Jocelyn Boyd
Deputy Clerk
Public Service Commission of South Carolina
P.O. Drawer 11649
Columbia, South Carolina 29211

Re: Revisions to Public Service Commission Transportation Regulations

Dear Mr. Terreni and Ms. Boyd,

ORS has recently been dealing with a variety of new issues related to recent changes in the transportation industry which have manifested themselves over the past several months. In order to consider changes in industry practices and the correct application of current regulations, we respectfully request that a new docket be opened by the Commission to consider additional revisions to the latest version of Article 2 of Chapter 103 of the South Carolina Code of Regulations.

Although the latest proposed revisions have not yet been adopted by the South Carolina Legislature, ORS requests that this new docket, or dockets, be established as soon as possible to allow the Commission to begin to consider, and receive public comment, on several areas of transportation regulation which require prompt action.

Specific issues that need to be addressed include:

- 1) Adoption of some form of drug testing for passenger carrier drivers under Regulation 103-133;
- 2) Revisions to the placarding provisions of Regulation 103-153 to comply with the Commission Directive issued in Docket No. 2002-320-T;
- 3) Consideration of the adoption of regulations to regulate the transportation of household goods by storage container;
- 4) Revisions to Article 2, Subarticle 11 to permit refunds to overcharged consumers of the household goods industry;

- 5) Revisions to Regulations 103-150 or 103-240 to authorize ORS inspectors to immediately remove unsafe vehicles or drivers operating under Commission authority from the State's roadways;
- 6) Consideration of the institution of a maximum rate tariff system for the regulation of the household goods moving industry; and
- 7) Addition of a new category of certificated motor carriers defined as "stretcher vans" to comport with changes in the transportation industry.

Of the above seven listed items, the addition of a new category of certificated motor carriers to include stretcher vans is the most pressing because the State of South Carolina could potentially save significant dollars annually in Medicaid costs. Currently, the State transports Medicaid recipients by ambulance. Joint Resolution H.4178 passed by the South Carolina Legislature in 2007 established the Medicaid Transportation Advisory Committee to review issues concerning the Medicaid transportation brokerage system. One issue which this Committee has discussed is the possible regulation of stretcher vans as a method of reducing State costs. For this reason ORS requests that the Commission consider establishing a separate docket to implement emergency regulations to define and regulate the operation of "Stretcher Vans". Additional information on this subject can be provided by ORS as well as other state agencies and Medicaid contractors.

As to issue regarding the creation of a maximum rate tariff structure for the regulation of the household goods moving industry, this tariff issue has become more critical due to the recent revocation by the Federal Surface Transportation Board of the exclusion from federal anti-trust laws for the household goods moving industry. This change in federal law will produce an influx of individual tariff filings and ORS believes that this presents a timely opportunity to reconsider the entire tariff structure for the household goods moving industry in South Carolina. ORS also recognizes that issue 6 may produce significant comment and would not be opposed to the creation of a separate docket to address this issue.

We appreciate the Commission's consideration of these issues and ORS is prepared to move forward should the Commission establish a new docket (or dockets) to address these matters.

Yours Truly,



Jeffrey M. Nelson